

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ILLINOIS UNION INSURANCE COMPANY
as subrogee of CITY OF LAWRENCE

Plaintiff,

V.

THE VIKING CORPORATION

Defendant.

CIVIL ACTION

NO.04-10475 MLW

JURY TRIAL DEMANDED

**ILLINOIS UNION INSURANCE COMPANY'S
CERTIFICATION PURSUANT TO LOCAL RULE 16.1 (D)(3)**

Plaintiff hereby certifies that it has conferred with counsel concerning establishing a budget for the cost of conducting the full course – and various alternative courses – of litigation and to consider resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in Local Rule 16.4. As plaintiff has already provided its entire adjustment file concerning this matter and made the physical evidence available to defendant for inspection, and as no meaningful settlement discussions have occurred, plaintiff has proposed a discovery calendar which will allow for the completion of fact discovery and exchange of expert reports, to be followed by mediation, and as may be required, expert depositions, and trial.

Respectfully submitted,

COZEN O'CONNOR

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THOMAS J. McGLYNN

An authorized representative of
Illinois Union Insurance Company